UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/SR.360
20 March 1998

ORIGINAL: ENGLISH

COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eighteenth session

SUMMARY RECORD OF THE FIRST PART* (PUBLIC) OF THE 360th MEETING

Held at Headquarters, New York,
on Monday, 19 January 1998, at 10 a.m.

Chairperson: Ms. KHAN

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* The summary record of the second part (closed) of the meeting appears as document CEDAW/C/SR.360/Add.1.

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98-80559 (E)

The meeting was called to order at 10.45 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the eighteenth session of the Committee on the Elimination of Discrimination against Women (CEDAW).

2. Ms. KING (Assistant Secretary-General, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women) said that the progress achieved since the entry into force of the Convention on the Elimination of All Forms of Discrimination against Women should not be cause for complacency. The Convention remained plagued by a large number of reservations. In some States parties, ratification had not brought about changes in policies and legislation, while in others implementation was impeded by entrenched attitudes that were contrary to the principles of the Convention. The Committee's work was crucial to bridging the gap between ratification and implementation of the Convention and to deepening international understanding of the obligations it entailed.

3. On a number of occasions, the Committee had stressed the need for closer cooperation with the Special Rapporteur on violence against women. Unfortunately, the Special Rapporteur on violence against women was unable to attend the Committee's current session; however, the Special Rapporteur on religious intolerance and the United Nations High Commissioner for Human Rights would address the Committee later in the session. The meeting with the High Commissioner should provide an opportunity for the Committee to forge closer ties with the Office of the High Commissioner and to discuss the contribution of the Committee to the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights.

4. Since the Committee's previous session, a number of important developments had taken place in the United Nations. The Secretary-General's reform proposals had been largely accepted by Member States, and she hoped that the reorganization of the Division for the Advancement of Women would help to strengthen its support for the work of the Committee and the promotion of the Convention. As part of the preparations for the forty-second session of the Commission on the Status of Women, the Division had convened three expert group meetings in the second half of 1997. The first meeting, held in October in Addis Ababa, had dealt with adolescent girls and their rights; the second, held in November at York University, Toronto, Canada, had dealt with gender-based persecution; and the third, held in December at Åbo Academy, Turku, Finland, had considered women's enjoyment of economic and social rights. The Division had also co-hosted a fourth expert group meeting in Malta on the gender dimension of caring for older persons.

5. As Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, she had taken part in a number of activities related to the Committee's work. In October 1997, she had participated in a round table on crimes of sexual violence, which had been held in Arusha at the International Tribunal for Rwanda. Sexual violence was increasingly a part of civil strife and armed conflict and, in some cases, a central strategy of war. She had therefore been pleased to see the prominent condemnation of sexual violence as a

war crime and its reflection in indictments relating to the former Yugoslavia. Although indictments for acts of sexual violence had been uncommon in the case of the International Tribunal for Rwanda, recent developments suggested that they would become a routine feature of most future indictments as the central role of rape and other sexual assaults in the genocide was acknowledged.

6. Women had been closely following the work of the ad hoc tribunals and in recent years had been documenting and raising awareness of violence against women as an abuse of fundamental human rights and, when perpetrated in times of war, as a war crime. They had also been demanding sensitive and empowering gender justice and the accountability of perpetrators for their atrocities. While much progress had been made, much remained to be done.

7. Members of the Committee were no doubt aware of the situation of women in Afghanistan. Although it was not a State party, Afghanistan had signed the Convention and was thereby obliged to refrain from any action that contravened its provisions. In November 1997, she had headed a United Nations gender mission to Afghanistan with the objective of reaching agreement on a concrete set of programmatic, field-oriented guidelines for addressing gender concerns in programme implementation, which should be observed by all United Nations agencies, the donor community and non-governmental organizations working in Afghanistan.

8. Women in other parts of the world, including Algeria, Burundi and Rwanda, were also at risk, and it was the role of the Committee, supported by the Division for the Advancement of Women, to devise strategies to assist women in desperate need of aid. She was confident that the dedication of Committee members and their capacity for hard work would allow the Committee to formulate imaginative proposals in that regard.

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (CEDAW/C/1998/I/1 and Corr.1)

9. The agenda was adopted.

REPORT OF THE CHAIRPERSON ON ACTIVITIES UNDERTAKEN BETWEEN THE SEVENTEENTH AND EIGHTEENTH SESSIONS OF THE COMMITTEE

10. The CHAIRPERSON said that she had been invited by the Office of the High Commissioner for Human Rights to participate as a resource person in the Asia-Pacific meeting on universal adherence to the principal international human rights instruments, which had been held in Amman in September 1997. The objective of the meeting had been to bring together government experts from States that had not submitted instruments of ratification, accession or succession to a number of principal human rights instruments. The meeting had provided an opportunity to discuss all aspects of the Committee's work, including the reporting and implementation obligations of States parties and, in particular, the issue of reservations and its implications for respect for human rights. Useful interaction had been initiated with the 17 participating countries that had not ratified the Convention, with a view to identifying obstacles to ratification and developing strategies to overcome them. Many of those countries had expressed their intention to take up the matter with their

respective Governments. Countries whose initial and subsequent reports were overdue had been offered help in preparing their reports.

11. She had attended the eighth meeting of persons chairing the human rights treaty bodies, held in Geneva in September 1997, where she had presented a brief review of recent developments relating to the Committee's work, including the results of its seventeenth session. The meeting had focused primarily on issues of reform, developments relating to the work of the treaty bodies and a report prepared by the independent expert on enhancing the long-term effectiveness of the United Nations human rights treaty system. A number of issued raised in the independent expert's report, particularly those relating to the consolidation of treaty bodies and proposals for reform of the reporting system, had been discussed at length. The general view of the chairpersons had been that a merger of the six human rights treaty bodies into a single committee was neither practicable nor desirable. The chairpersons agreed, however, that the establishment of additional treaty bodies should be avoided.

12. With regard to the proposals for reforming the reporting system, concern had been expressed that, in the absence of appropriate reforms tailored to the needs of each Committee, the examination of reports might become a mere ritual without providing any effective means of protecting the human rights of individuals. While the chairpersons had recognized the problem of overdue reports, no consensus had been reached on the proposal to consolidate them into a single report covering all six human rights treaties. With respect to periodic reports, the chairpersons were of the view that, in order to reduce the need for very lengthy reports, each committee should seek ways to focus reports on a limited range of issues that were pertinent to the reporting State. The chairpersons therefore decided to request their respective committees to examine the feasibility of adopting an approach along those lines.

13. On the issue of the independence of experts, the chairpersons had recommended that, in order to ensure impartiality, members of treaty bodies should refrain from participating in any aspect of consideration of their country reports. The chairpersons had further recommended that members should encourage their respective Governments to refrain from nominating for election to treaty bodies persons who performed political or other functions that might be incompatible with the obligations of independent experts. The chairpersons had also discussed the convening of a seminar on gender perspective in order to promote its full integration into the activities of treaty bodies. Finally, the chairpersons had requested the General Assembly to organize, on an exceptional basis, a three-day meeting of chairpersons at the end of February 1998 to enable them to continue their follow-up to the work being done by the treaty bodies in the area of reform.

14. She had attended a seminar on social progress, held in Copenhagen from 3 to 5 October 1997 as a follow-up to the World Summit for Social Development. The objective of the seminar had been to determine the relationship between the phenomenon of globalization and social conditions in the world with a view to creating opportunities for disadvantaged groups. The paper that she had presented had focused on exploitation in the informal sector, where the vast majority of female labour was employed in developing economies, and the need for graduation from the informal to the formal sector.

15. From 14 to 16 October 1997, she had attended a regional workshop in Beirut that had been organized by the Middle East regional office of the United Nations Children's Fund (UNICEF). The objective of the workshop had been to incorporate the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women into the curriculum of law schools in Egypt, Jordan, Lebanon, Morocco, the Sudan and Tunisia. The workshop had examined the concept of women's and children's rights in the Arab world and the link between the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. On behalf of the Committee, she had appealed to the five Arab States that had not yet done so to ratify the Convention on the Elimination of All Forms of Discrimination against Women.

16. As Chairperson of the Committee, she had participated in the Third Committee's consideration of its agenda item on the advancement of women at the fifty-second session of the General Assembly. In her statement to the Third Committee, she had highlighted the progress made by the Committee at its sixteenth and seventeenth sessions and had appealed to States Parties to accept the amendment to article 20, paragraph 1, of the Convention, work towards the universal ratification of the Convention and limit the extent of reservations.

17. At its seventeenth session, the Committee had decided to prepare a general recommendation on article 12 of the Convention. The revised draft of that text incorporated comments made by Committee members and non-governmental organizations. On 15 and 16 November 1997, the Commonwealth Medical Association had convened a round table in London, preceded by a day of dialogue with non-governmental organizations involved in health and reproductive rights, to ensure that the draft general recommendation was sound and could be implemented.

18. In October 1997, she had received a letter from the High Commissioner for Human Rights expressing concern about the situation in Algeria and requesting a summary of recent information on the subject and suggestions for future action. She had informed the High Commissioner that Algeria, which had been a party to the Convention since 1996, had not yet submitted its initial report, and the Committee had no information on the human rights situation in that country. She had suggested that the High Commissioner should consider appointing a special rapporteur on the situation of human rights in Algeria. In November 1997, she had received a letter from Amnesty International containing a copy of a joint appeal issued by a number of organizations that called for the convening of a special session of the Commission on Human Rights on the question, and she had confirmed the Committee's support for that proposal.

19. Although 161 countries had ratified the Convention on the Elimination of All Forms of Discrimination against Women, the level of implementation of the Convention by States parties and the number of overdue reports were cause for concern, and the Committee should consider ways of improving its methods of work.

The meeting was suspended at 11.30 a.m. and resumed at 12.45 p.m.

20. Ms. TIMOTHY (Division for the Advancement of Women), introducing agenda item 5, said that article 21 of the Convention provided that the Committee could

make suggestions and general recommendations based on the examination of reports and information received from States parties and that such suggestions and general recommendations should be included in the report of the Committee together with comments, if any, from States parties. At its tenth session, the Committee had decided to invite representatives of the specialized agencies and other United Nations bodies to present information related to specific articles of the Convention or issues being considered for general recommendations and suggestions. The Committee had also decided to select and review specific articles and other issues to be considered at subsequent sessions as a long-term programme, without prejudice to any changes that might be necessary as a result of new developments and priorities arising from the review of States parties' reports.

21. At its seventeenth session, the Committee had decided to prepare a general recommendation on article 12 of the Convention. The Committee had also agreed on a new three-stage method of work with regard to the formulation of general recommendations. The first stage would consist of an exchange of views with representatives of the specialized agencies and other bodies of the United Nations and interested non-governmental organizations. The second stage would involve preparation of an initial draft of the general recommendation by a member of the Committee. The draft would be discussed by Working Group II, which could invite resource persons and non-governmental organizations to take part in the discussions. The final stage would entail the adoption of a revised draft by the Committee at its following session.

22. Under article 22 of the Convention, specialized agencies were entitled to be represented at the consideration of the implementation of such provisions of the Convention as fell within the scope of their activities, and the Committee could also invite the specialized agencies to submit reports on the implementation of the Convention in those areas. The pre-session working group had invited representatives of specialized agencies and other United Nations bodies to attend its meetings in order to provide information on implementation of the Convention in States parties whose reports the Committee would consider at its current session. As in the past, representatives of specialized agencies had also been invited to address the Committee as a whole.

23. At its seventeenth session, the Committee had decided to prepare a paper on reservations as its contributions to the fiftieth anniversary of the Universal Declaration of Human Rights. A draft of the working paper was contained in document CEDAW/C/1998/I/WG.II/WP.2.

24. Ms. CONNORS (Women's Rights Unit) said that, at an earlier session, the Committee had decided that the Secretariat would prepare, as a pre-session document, a report on ways of improving the work of the Committee. The report on the subject, contained in document CEDAW/C/1998/I/4, dealt with relations between the Committee and specialized agencies and other entities of the United Nations system; the Special Rapporteur on violence against women; the pre-session working group; and the promotion of the Convention and the Committee through technical and advisory services. It also included a compilation of the views of Committee members on the report of the independent expert on the functioning of the human rights treaty bodies and addressed issues raised at the eighth meeting of persons chairing the human rights treaty bodies. It also

dealt with recommendations made to the Committee by the Subcommission on Prevention of Discrimination and Protection of Minorities and the expert group meetings convened since the Committee's seventeenth session. A list of States parties whose reports were more than five years overdue was contained in annex I; a list of States parties whose reports had been submitted but had not yet been considered by the Committee was contained in annex II.

25. In addition to the report on ways and means of expediting the work of the Committee, Working Group I also had before it a working paper containing revised draft rules of procedure (CEDAW/C/1997/WG.I/WP.1), the finalization of which had been postponed from the sixteenth session.

The meeting rose at 12.55 p.m.